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# ENVIRONMENTAL Fact Sheet

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29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • [www.des.nh.gov](http://www.des.nh.gov)

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## Forming a Village District for the Purpose of Impounding Water

A village district may be formed for many reasons. This fact sheet is limited to the formation for the intent of impounding water.

### Petition and Town Meeting

A village district is formed upon petition of ten or more legal voters of a town. The petition is then brought to the town at which time, the selectmen of the town call a meeting of the legal voters to establish the district and choose officers. At the meeting the voters may establish the district boundaries, name the district and name the officers. After this, the district becomes a corporate and political body. The newly formed district has the powers of the town. When a village district is formed, the following information should be filed with the NH Secretary of State: the name of the district, the powers granted and the territorial boundaries.

### Officers and Annual Meetings

The officers required for the formation of a village district are moderator, clerk, three commissioners, treasurer, and others that may be required to assure proper management of the district. If the village district is in more than one town, a joint board is formed. The duties of the officers are similar to those of the town. The annual meetings of village districts are held on the second Tuesday in March, unless a vote is held to change this date. The notification of upcoming meetings of a village district is performed in the same manner as town meetings.

### Tax Reports

If the village district is completely within one town, the commissioner shall annually, within ten days after the annual meeting, certify to the tax commissioner a certificate of the several appropriations and estimated revenues and other information that the tax commission may require. The district treasurer shall report to the state tax commission on the district officers. Selectmen assess the properties of the village district and submit evaluation with tax assessment to the town clerk. The selectmen then collect district taxes from the properties and pay the treasurer of the district. The district has the authority to acquire property by eminent domain.

## Coordination with DES

Upon formation of a village district, the body may then contract with the NH Department of Environmental Services Water Division to construct, operate, and maintain the dam on the water body. The village district then makes payments to DES for all construction, operation and maintenance expenses. Authorization for appropriations is made by a 50 percent vote of the legal voters of the village district. DES then assumes all obligations and liabilities resulting from such construction, operation and maintenance of the dam per RSA Chapter 52.

For more information relative to the design, construction, maintenance and operation of dams, please contact the DES Water Division Dam Bureau at (603) 271-3406 or email [damsafety@des.state.nh.us](mailto:damsafety@des.state.nh.us). General information is available at [www.des.nh.gov/Dam/](http://www.des.nh.gov/Dam/). You may also visit our office at 29 Hazen Drive in Concord, New Hampshire.